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September 4, 2024

Hon. Elizabeth S. Stong
United States Bankruptcy Judge
U.S. Bankruptcy Court, EDNY
Conrad B. Duberstein Courthouse
271-C Cadman Plaza East - Suite 1595
Brooklyn, NY 11201-1800

**RE: 288 4th LLC, v. HAIM KAHAN, COHEN TAUBER
SPIEVACK & WAGNER P.C.,
YECHESKEL WEISZ, AND SHIA
WEISZ; Case No. -24-01087-ess**

Dear Judge Stong,

Our office was retained today on behalf of Defendant Haim Kahan (“Kahan”) in the above referenced matter. This letter is to inform the Court that our office intends to oppose the Order to Show Cause and request for Temporary Restraining Order filed earlier today by the Debtor Plaintiff in the above referenced matter. We write to respectfully request that this Court decline to grant any injunctive relief until the undersigned has had an opportunity to fully brief this matter and the Parties have had an opportunity to be heard.

This case involves a complex fact pattern with lengthy pre-petition litigation in State Court. Given the nascent stage of the instant Adversary Proceeding, no prejudice will result in allowing Defendant Kahan an opportunity to fully address the allegations in the Order to Show Cause.

Nothing in this letter is meant to be construed as a waiver of Kahan’s rights to assert any and all defenses to any of the allegations or causes of action asserted in any pleading filed by Plaintiff or any other party in this matter, including, but not limited to any jurisdictional defenses.



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Please do not hesitate to contact the undersigned should the Court have any further questions or concerns regarding this matter.

Very Truly,

/s/ Btzalel Hirschhorn
Btzalel Hirschhorn, Esq.

The Court has reviewed this letter from counsel to the Defendants, dated September 4, 2024 at ECF No. 3 and the letter from counsel to the Plaintiff, dated September 4, 2024 at ECF No. 5.

The parties are directed to preserve the status quo with respect to the use of the funds at issue and to file a status letter with this Court by September 5, 2024, at 4:00 PM.

It is so ordered.

Dated: Brooklyn, New York
September 5, 2024



A handwritten signature in black ink, appearing to read 'Elizabeth S. Stong'.

Elizabeth S. Stong
United States Bankruptcy Judge